

AMENDED RECORD PRODUCTION AND COPYING POLICY  
FOR GRAND PRAIRIE MOUNTAIN CREEK TOWNHOUSES

GRAND PRAIRIE MOUNTAIN CREEK HOMEOWNER'S ASSOCIATION, INC.  
3402 FM ROAD 1382  
GRAND PRAIRIE, TEXAS 75052

On June 25, 2013, in accordance with Article IV, Section 4 (a) of the Third Amended Bylaws of Grand Prairie Mountain Creek Homeowner's Association, Inc., (the "Association"), the Board of Directors adopted the policies and procedures contained herein, to be followed by an owner who desires to examine and/or copy the books and records of Grand Prairie Mountain Creek Homeowner's Association, Inc.

In accordance with Section 209.005 of the Texas Property Code, the Association, shall make the books and records of the Association, including financial records, open and reasonably available for examination by an owner, a person designated in writing signed by the owner, as the owner's agent, attorney, or certified public accountant.

Except as provided by Section 209.005(d) of the Texas Property Code, an attorney's files and records relating to the Association are not records of the Association and are not subject to inspection by an owner or subject to production in a legal proceeding.

An owner is entitled to obtain from Grand Prairie Mountain Creek Homeowner's Association, Inc., copies of information contained in the books and records and must follow the following procedure:

An owner or an owner's authorized representative described by Section 209.005 (c) of the Texas Property Code must submit a written request for access or information under Section 209.005 (c) of the Texas Property Code by certified mail with sufficient detail describing the property owners' associations' books and records requested, to the mailing address of the Association or authorized representative as reflected on the most current management certificate filed under Section 209.004 of the Texas Property Code. The request must contain an election either to inspect the books and records before obtaining copies or to have the property owners' association forward copies of the requested books and records and:

- (1) if an inspection is requested, the Association, on or before the 10th business day after the date the Association receives the request, shall send written notice of dates during normal business hours that the owner may inspect the requested books and records to the extent those books and are in the possession, custody or control of the Association; or
- (2) if copies of identified books and records are requested, the Association shall, to the extent those books and records are in the possession, custody or control of the Association, produce the requested books and records for the requesting party on or before the 10th business day after the date the Association receives the request, except as otherwise provided by this Section 209.005 of the Texas Property Code.

If the Association is unable to produce the books or records requested as set forth above on or before the 10th business day after the date the Association receives the request, the Association must provide to the requestor written notice that:

- (1) informs the requestor that the Association is unable to produce the information on

or before the 10th business day after the date the Association received the request;

- (2) states a date by which the information will be sent or made available for inspection to the requesting party that is not later than the 15<sup>th</sup> business day after the date notice under this provision is given.

If an inspection is requested or required, the inspection shall take place at a mutually agreed on time during normal business hours, and the requesting party shall identify the books and records for the Association to copy and forward to the requesting party.

The Association may produce books and records requested under this provision in hard copy, electronic or other format reasonably available to the Association.

The Association shall require the owner requesting such production and copying of the books and records, to pay the following costs, as provided herein:

(a) Copy charge

- (1) Standard paper copy. The charge for standard paper copies reproduced by means of an office machine copier or a computer printer is \$.10 per page or part of a page. Each side that has recorded information is considered a page;
- (2) Nonstandard copy. The charges under this provision are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

- (A) Diskette - \$1.00
- (B) Magnetic tape - actual cost
- (C) Data cartridge - actual cost
- (D) Tape cartridge - actual cost;
- (E) Rewritable CD (CD-RW) - \$1.00
- (F) Non-rewritable CD (CD-R) - \$1.00
- (G) Digital video disc (DVD) - \$3.00
- (H) JAZ drive - actual cost
- (I) Other electronic media - actual cost
- (J) VHS video cassette - \$2.50
- (K) Audio cassette - \$1.00
- (L) Oversize paper copy (e.g. 11 x 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper) - \$.50
- (M) Specialty paper (e.g. Mylar, blueprint, map, photographic) - actual cost

(b) Labor charges



If a particular request requires the assistance of a computer programmer to obtain the requested information, the hourly charge for a programmer is \$28.50 per hour. If the request requires the Association to locate, compile, manipulate data and reproduce the requested information, the Association shall charge \$15.00 per hour for labor costs incurred in complying with the request. However, a labor charge shall not be charged if the information requested is fifty or fewer pages and does not require the Association to access information stored in a remote storage facility. A labor charge shall not be billed for any time spent by an attorney, legal assistant or other person who reviews the requested information. When confidential information, which is not allowed to be disclosed pursuant to Section 209.005 (i) of the Texas Property Code, is mixed with other information on the same page, a labor charge will be billed to the owner for the time spent to redact, black-out or otherwise obscure such confidential information before releasing the same to an owner. A labor charge shall not be made for redacting confidential information for a request of fifty or fewer pages.

- (c) All other charges not specifically set forth herein necessary to comply with a request for information shall be governed by Section 70.3 of the Texas Administrative Code.

Except as provided herein, and to the extent that the information is provided in the meeting minutes of the Association, the Association is not required to release or allow the inspection of any books or records that identify the dedicatory instrument violation history of an individual owner of the Association, an owner's personal financial information, including record of payment or non-payment of amounts due the Association, an owner's contact information, other than the owner's address, or information related to an employee of the Association, including personnel files. Information may be released in an aggregate or summary manner that would not identify an individual property owner. The books and records prescribed by this subsection shall be released or made available for inspection, if:

- (1) the express written approval of the owner whose records are the subject of the request for inspection is provided to the Association;
- (2) a court orders the release of the books and records or orders that the books and records be made available for inspection.

Any request for information not specifically addressed herein, shall be governed by Section 209.005 of the Texas Property Code.

IN WITNESS WHEREOF, the Association's duly authorized officers hereby execute this instrument under seal on this the 26<sup>th</sup> day of February, 2016.

ASSOCIATION:

GRAND PRAIRIE MOUNTAIN CREEK HOMEOWNER'S ASSOCIATION, INC.

By: [Signature]  
Don Ryan, President

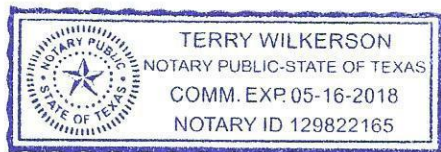
(AFFIX SEAL)

ATTEST: Mary B. Hartman  
Secretary  
Printed Name: MARY B. HARTMAN

**ACKNOWLEDGEMENT**

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS       §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this the 26<sup>th</sup> day of February, 2016, personally appeared Don Ryan, President of Grand Prairie Mountain Creek Homeowner's Association, Inc., and acknowledged that he executed the foregoing document on behalf of Grand Prairie Mountain Creek Homeowner's Association, Inc., a Texas non-profit corporation.



[Signature]  
Notary Public in and for the State of Texas  
My Commission Expires: 05-16-2018

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